

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CARLOS CAMPOS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:14-cv-324
)	
NORTHSTAR LOCATION SERVICES, LLC,)	
)	
Defendant.)	

PLAINTIFF’S COMPLAINT

Plaintiff, CARLOS CAMPOS (“Plaintiff”), through Plaintiff’s attorney, AGRUSS LAW FIRM, LLC, alleges the following against Defendant, NORTHSTAR LOCATION SERVICES, LLC (“Defendant”):

INTRODUCTION

1. Count I of Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. (“FDCPA”).

JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. §§1331, 1367, and 15 U.S.C. §1692k.
2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
3. Venue and personal jurisdiction in this District are proper because Defendant does or transacts business within this District, and a material portion of the events at issue occurred in this District.

PARTIES

4. Plaintiff is a natural person residing in Somerset, Bexar County, Texas.
5. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3).
6. Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6).
8. Within the past year, Defendant sought to collect a consumer debt from Plaintiff.
9. Defendant is a collection agency headquartered in Cheektowaga, Erie County, New York.
10. Defendant is a business entity engaged in the collection of debt within the State of Texas.
11. The principal purpose of Defendant's business is the collection of debts allegedly owed to third parties.
12. Defendant regularly collects, or attempts to collect, debts allegedly owed to third parties.
13. During the course of its attempts to collect debts allegedly owed to third parties, Defendant sends to alleged debtors bills, statements, and/or other correspondence, via the mail and/or electronic mail, and initiates contact with alleged debtors via various means of telecommunication, such as by telephone and facsimile.
14. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

15. Defendant is attempting to collect a debt from Plaintiff on behalf of the original creditor, TD Auto Finance LLC, account number ending in 1314 ("Account").
16. Plaintiff's alleged debt owed to TD Auto Finance LLC arises from transactions for personal, family, and household purposes.

17. Plaintiff retained the services of Debt Counsel for Seniors and the Disabled (“DCSD”) to help with Plaintiff’s unsecured debts.
18. DCSD protects seniors, veterans, and the disabled to ensure creditors and collectors do not violate collection laws or garnish federally protected incomes, such as Social Security, Social Security Disability, Veterans benefits, and other federal funds.
19. On November 7, 2012, DCSD spoke with Defendant’s employee, Kate Long, regarding Plaintiff’s Account.
20. On November 7, 2012, DCSD faxed a notice of representation and cease and desist letter to Defendant at 716-565-6928. *See* the letter attached as Exhibit A.
21. DCSD’s letter was provided to Defendant with Plaintiff’s name, last four digits of the account number, and a cease and desist request from both DCSD and Plaintiff. *Id.*
22. On November 7, 2012, after DCSD’s letter was faxed to Defendant, a Transmission Verification Report was generated.
23. According to the Transmission Verification Report, Defendant received DCSD’s notice of representation and cease and desist letter on November 7, 2012.
24. Despite having received Plaintiff’s cease and desist request and letter informing Defendant of DCSD’s representation, on October 24, 2013, Defendant mailed a collection letter to Plaintiff regarding the TD Auto Finance LLC Account. *See* the letter attached as Exhibit B.
25. On November 15, 2013, DCSD faxed a notice of representation and cease and desist letter and a cease and desist Order to Defendant at 716-565-6928. *See* the letter and Order attached as Exhibit C.

26. DCSD's letter was provided to Defendant with Plaintiff's name, last four digits of the account number, and a cease and desist request from both DCSD and Plaintiff. *Id.*
27. On November 15, 2013, after DCSD's letter and Order were faxed to Defendant, a Transmission Verification Report was generated.
28. According to the Transmission Verification Report, Defendant received DCSD's notice of representation, cease and desist letter, and cease and desist Order on November 15, 2013.
29. Despite Plaintiff's request that Defendant cease contacting Plaintiff directly in connection with the alleged TD Auto Finance LLC account, Defendant continued to send letters to Plaintiff, seeking and demanding payment on the alleged debt at issue in this case.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

30. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(c) of the FDCPA by communicating with Plaintiff after Defendant received Plaintiff's cease and desist letter.

WHEREFORE, Plaintiff, CARLOS CAMPOS, respectfully requests judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC, for the following:

31. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.
32. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.
33. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

April 10, 2014

By: /s/ Michael S. Agruss

Michael S. Agruss
Agruss Law Firm, LLC
22 W. Washington St., Suite 1500
Chicago, IL 60602
Tel: 312-224-4695
Fax: 312-253-4451
michael@agrusslawfirm.com
Attorney for Plaintiff

EXHIBIT A



November 7, 2012

BY FAX ONLY: 716-565-6928

Page 1 of 2

Collections Manager
Northstar Location Services
4285 Genesee Street
Cheektowaga, NY 14225-1943

Re: Carlos Campos & Isabel Campos
Your reference # 12547144 - Chrysler Financial: Ending in 1314
Our file # 12365

To Whom It May Concern:

Please be advised that my law firm represents the above-referenced client(s) for purposes of enforcing their rights pursuant to all applicable federal debt collection laws. Debt Counsel for Seniors and the Disabled exclusively represents clients who are seniors, veterans and/or disabled individuals whose income (e.g. social security, disability, veterans' benefits, etc.) is protected by federal law.

My client hereby disputes the entire amount of the debt referenced above. Accordingly, please provide any agreement(s) my client may have signed regarding this debt as well as an accounting history, balance calculation and charge-off date, if applicable, to this law firm at the above address. Also, please report this debt as disputed to all Credit Reporting Agencies to which you reported this debt..

Notwithstanding my representation, be on notice that my client hereby directs you to cease and desist all further communications with my client and hereby expressly revokes any prior consent that may have been given to call any telephone. My client also hereby revokes any prior business relationship with you or with any other party(s) involved in this matter, which includes revocation of any agreement to arbitrate any matter that my client may have entered into with your or any predecessor in interest.

Per the official Staff Commentary on Regulation Z 226.2(a)(22), please direct all further communication regarding this matter to my office, Debt Counsel for Seniors and the Disabled, 542 S. Dearborn Street, Suite 1260, Chicago, IL 60605, 800-992-3275.

Sincerely,

Jerome S. Lamet
Supervising Attorney
Debt Counsel for Seniors and the Disabled

Cc: Carlos Campos & Isabel Campos

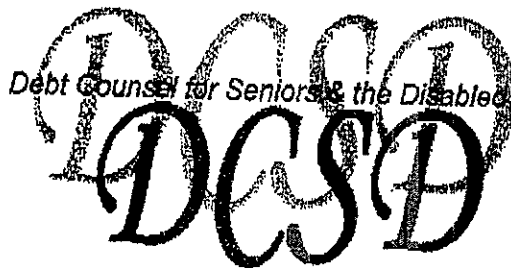
Jerome S. Lamet, Supervising Attorney
The Pontiac Building
542 South Dearborn
Suite 1260
Chicago, Illinois 60605
V: (312) 939-2221
F: (312) 356-3199

TRANSMISSION VERIFICATION REPORT

TIME : 11/07/2012 15:47
NAME : JEROME LAMET LTD
FAX : 13123563199
TEL : 13129392221
SER.# : BROD8J797996

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

11/07 15:47
17165656928
00:00:26
02
OK
STANDARD
ECM



November 7, 2012

BY FAX ONLY: 716-565-6928
Page 1 of 2

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EXHIBIT B

4285 Genesee Street
Cheektowaga NY 14225-1943
ADDRESS SERVICE REQUESTED

NORTHSTAR
LOCATION SERVICES, LLC

1-866-224-9824
Hours Mon-Thurs 8AM-10PM ET,
Fri 8AM-8PM ET, Sat 8AM-2PM ET

10/24/13

Ref #
201300000428509LT1 162320776



CARLOS S CAMPOS
C/O ATN JEROME LAMET
140 E White Wing Dr
Somerset TX 78069-3764

Northstar Location Services, LLC
Attn: Financial Services Dept.
4285 Genesee Street
Cheektowaga, NY 14225-1943

NOV 12 2013

Payment Website: <https://www.gotonls.com>

Creditor	TD Auto Finance LLC
Account #	1026701314
Balance	\$13,069.37
Amount Remitted	

TO ENSURE PROPER CREDIT, RETURN THIS PORTION WITH YOUR PAYMENT.

Creditor	Account #	Balance
TD Auto Finance LLC	1026701314	\$13,069.37

The above account has been referred to our office by TD Auto Finance LLC. Your account is listed as delinquent with a total amount due of \$13,069.37.

Federal law requires that we inform you this communication is from a professional debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt to be valid. If you notify this office in writing within 30 days of receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or a copy of a judgment and a copy of such verification or judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice this office will provide you with the name and address of the original creditor, if different from the current creditor.

To make paying your account more convenient we offer the following payment options:

- Check-by-phone at 1-866-224-9824
- MoneyGram ExpressPayment
- Credit or Debit Card
- Web Pay at www.gotonls.com
- Pay in person at our office
- Enclose your payment in the envelope

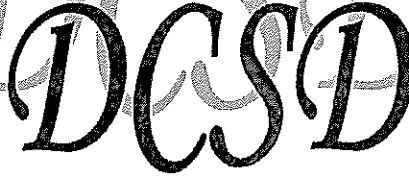
You may contact a Northstar Account Representative toll free at 1-866-224-9824 or direct dial our Remittance Department at 1-866-224-9824 to make your payment.

Fax# 716-565-6928.
mike Nelson



EXHIBIT C

Debt Counsel for Seniors & the Disabled



November 14, 2013

BY FAX ONLY: 716-565-6928

Page 1 of 2

Collections Manager
Northstar Location Services
4285 Genesee Street
Cheektowaga, NY 14225-1943

Re: Carlos Campos & Isabel Campos
Your reference # 13-428509 - Chrysler Financial / TD Auto Finance, LLC: Ending
in 1314
Our file # 12365

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Please be advised that my law firm represents the above-referenced client(s) for purposes of enforcing their rights pursuant to all applicable federal debt collection laws. Debt Counsel for Seniors and the Disabled exclusively represents clients who are seniors, veterans and/or disabled individuals whose income (e.g. social security, disability, veterans' benefits, etc.) is protected by federal law.

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Per the official Staff Commentary on Regulation Z 226.2(a)(22), please direct all further communication regarding this matter to my office, Debt Counsel for Seniors and the Disabled, 542 S. Dearborn Street, Suite 1260, Chicago, IL 60605, 800-992-3275.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jerome S. Lamet', is written over a horizontal line.

Jerome S. Lamet
Supervising Attorney
Debt Counsel for Seniors and the Disabled

Cc: Carlos Campos & Isabel Campos

Jerome S. Lamet, Supervising Attorney

The Pontiac Building
542 South Dearborn
Suite 1260
Chicago, Illinois 60605
V: (312) 939-2221
F: (312) 356-3199

CEASE AND DESIST ORDER

IN ACCORDANCE WITH § 1692c(c) OF THE FAIR DEBT COLLECTION PRACTICES ACT, I AM REQUESTING THAT YOU CEASE FURTHER COMMUNICATION WITH ME/US.

ADDITIONALLY, OR IF YOU ARE THE ORIGINAL CREDITOR, PLEASE BE ADVISED THAT I/WE AM/ARE REPRESENTED BY THE ATTORNEYS AT DEBT COUNSEL FOR SENIORS AND THE DISABLED, AND I/WE REQUEST THAT YOU CEASE FURTHER COMMUNICATION WITH ME/US IN ACCORDANCE WITH § 1692(a)(2) OF THE FAIR DEBT COLLECTION PRACTICES ACT.

IF MY/OUR ATTORNEYS HAVE NOT, IN WRITING, INFORMED YOU OF THEIR REPRESENTATION, THIS SHALL ALSO SERVE AS A LETTER OF REPRESENTATION TO THAT EFFECT.

FAILURE TO COMPLY WITH THIS ORDER WILL RESULT IN MY/OUR REPORTING YOUR ILLEGAL ACTIVITY TO THE FEDERAL TRADE COMMISSION AND ALL APPROPRIATE REGULATORY AGENCIES, INCLUDING STATE BAR ASSOCIATIONS.

Isabel Campos
Signature

Isabel Campos P.D.A.
Signature (second party)

Isabel Campos
Printed Name

Carlos Campos
Printed Name

140 E. White Wing Dr.
Address

Somerset TX 78069
City/State/ZIP Code

TRANSMISSION VERIFICATION REPORT

TIME : 11/15/2013 08:54
NAME : JEROME LAMET LTD
FAX : 13123563199
TEL : 13129392221
SER. # : BROD8J797996

DATE, TIME	11/15 08:54
FAX NO./NAME	17165656928
DURATION	00:00:37
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM



November 14, 2013

BY FAX ONLY: 716-565-6928
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